HON'BLE SHRI G.S.SINGHVI, THE CHIEF JUSTICE
and
HON'BLE SHRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.20508 OF 2007

Between:

G. Jayarama Rao

.....Petitioner

AND

The Government of Andhra Pradesh,
Rep., by its Chief Secretary, Secretariat,
Hyderabad and two others

.....Respondents

::ORDER::

Counsel for the petitioner : Shri G.L. Narasimha Rao

Counsel for the respondents : Advocate General

October 1, 2007

Per G.S.Singhvi, CJ

The petitioner has sought intervention of the Court for issue of a direction to the respondents to facilitate his own death in the name of mercy killing.

On 28-9-2007, the case was adjourned for today with the request to the learned Advocate General to assist the Court.

Today, the learned Advocate General invited our attention to the judgment of the Constitution Bench of the Supreme Court in **Gian Kumar vs. State of Punjab**[1], wherein the earlier judgment of the two judges Bench in **P. Rathinam v. Union of India**[2] was overruled and constitutionality of Section 309 of the Indian Penal Code was upheld.

In our opinion, the law laid down by the Supreme Court is unquestionably binding on this Court and by issuing a writ in terms of the prayer made, this Court cannot encourage commission of identified offences by the citizens of this country.

With the above observation, the writ petition is dismissed.

G.S.SINGHVI, C.J.

C.V.NAGARJUNA REDDY, J.

October 1, 2007

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[1] (1996) 2 SCC 648
[2] (1994) 3 SCC 394